

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION**

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STEPHANIE M. SCHROEDER,

CV 12-132-M-DLC-JCL

Plaintiff,

vs.

ORDER

BANK OF AMERICA, LLC, also  
known as FIA CARD SERVICE NA,

Defendant.

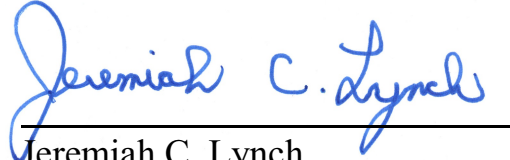
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Before the Court are Defendant FIA Card Services, N.A.'s: (1) Fed. R. Civ. P. 12(b)(6) motion to dismiss, and (2) motion for judicial notice. The motions, however, do not comply with L.R. 7.1(c)(1) which requires the moving party to state, within the text of the motion, that the opposing party has been contacted and whether the opposing party objects to the motion. FIA Card Services, N.A. has failed to state in either of its motions whether it has contacted Plaintiff Stephanie Schroeder regarding the motions, and whether she opposes either motion.

Therefore, pursuant to L.R. 7.1(c)(4) IT IS HEREBY ORDERED that the referenced motions are summarily DENIED without prejudice, subject to FIA

Card Services, N.A.'s opportunity to re-file each motion in compliance with L.R.  
7.1(c)(1).

DATED this 26<sup>th</sup> day of December, 2012.

A handwritten signature in blue ink that reads "Jeremiah C. Lynch". The signature is written in a cursive style with a large initial 'J' and a stylized 'L'.

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Jeremiah C. Lynch  
United States Magistrate Judge